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of All Forms of Discrimination
against Women

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COMMITTEE ON THE ELIMINATION OF
DISCRIMINATION AGAINST WOMEN
(CEDAW)

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 18 OF THE CONVENTION

Third periodic reports of States parties

AUSTRALIA*

*For the initial report submitted by the Government of Australia, see CEDAW/C/5/Add.40 and Amend.1; for its consideration by the Committee, see CEDAW/C/SR.114 and CEDAW/C/SR.118, and Official Records of the General Assembly, Forty-third Session, Supplement No. 38 (A/43/38), paras. 397-457. For the second periodic report submitted by the Government of Australia, see CEDAW/C/AUL/2; for its consideration by the Committee, see CEDAW/C/SR.251 and Official Records of the General Assembly, Forty-ninth Session, Supplement No. 38 (A/49/38), paras. 370-412. This document has been reproduced without formal editing.

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INTRODUCTION

In June 1992, Australia provided the United Nations with its second progress report on implementing the Convention on the Elimination of All Forms of Discrimination Against Women. That report, *Women in Australia*, contained a detailed examination of achievements in Australia in implementing the Convention and looked at the context in which the Convention operates.

As part of a program to raise awareness amongst the community of the Convention the report was distributed widely throughout Australia to individuals and women's organisations. As a further step in raising awareness of the Convention, in November 1993, a booklet on the Convention was released, written in simplified terms to make the Articles accessible and placing them within an Australian context. The aim is to demonstrate the direct relevance of the Convention to Australian women and women's organisations.

This supplementary report highlights significant activities and major initiatives undertaken from June 1992 to November 1993 to further improve and progress the status of women as well as activities planned for the next 12 months. The report has been designed to include only major legislative, policy and program changes in the period concerned and is not intended to act as an update of every aspect of the initial document.

THE CONTEXT OF THE OPERATION OF THE CONVENTION

Executive responsibility for the status of women in the Commonwealth Government lies with the Prime Minister who is aided by the Minister Assisting the Prime Minister for the Status of Women.

In March 1993, Australia held a Federal Election that saw the Government returned. Prior to the election, the Minister Assisting was the Hon Wendy Fatin, MP. Presently, the position is held by Senator Rosemary Crowley who is also the Minister for Family Services.

Of note is that during the period leading up to the election, the platforms of both major parties placed a significant emphasis on women's issues.

New National Agenda for Women

In February 1993, the Government released *WOMEN – Shaping and Sharing the Future: The New National Agenda for Women* which effectively sets the direction of activities for improving the status of women to the year 2000. The Government adopted the first National Agenda for Women in 1988 in response to the objectives of the *Nairobi Forward Looking Strategies*. The New National Agenda reflects many of the articles of the Convention.

The New National Agenda provides a framework for achieving women's goals through to the end of the century. In preparing the New National Agenda, consultations were held with women in the community, representatives of women's organisations and all areas of Government. It also incorporates the findings of and responses to *Half Way to Equal*, the 1992 Parliamentary report into equal opportunity and equal status for Australian women (discussed below).

The New National Agenda focuses on both particular issues such as violence, families, income security and international relations, as well as on groups of women with particular needs – young

women, women of non-English speaking background, Aboriginal and Torres Strait Islander women older women, women in rural and remote areas and women with disabilities. The Agenda examines progress made in each area, women's vision and goals for the future and puts forward strategies for achieving these goals.

***Half Way to Equal* - Report of the Inquiry into Equal Opportunity and Equal Status for Women in Australia**

An inquiry into equal opportunity and equal status for Australian women, established in 1989 and conducted by the House of Representatives Standing Committee on Legal and Constitutional Affairs, was completed in 1992. The terms of reference of the inquiry were to investigate progress made towards the achievement of equal opportunity and equal status of Australian women as detailed in the 1988 *National Agenda for Women* and to examine the extent to which the objectives of the *Sex Discrimination Act 1984* have been achieved by legislative or other means. The Committee examined the effective participation by women, including young women, in decision making processes; the extent to which women receive appropriate recognition for their contribution to society; participation by women in the labour force including the efficacy of equal employment opportunity schemes; participation by women in leisure and sport; and, the extent to which young women are encouraged to participate equally in society.

The Committee's report, *Half Way to Equal*, considered the present status of Australian women and progress that had been made to date and made a number of recommendations on how to further equal opportunity and equal status for women.

The Government's response to *Half Way to Equal* was released in December 1992 by the Prime Minister and the then Minister Assisting the Prime Minister for the Status of Women. All Commonwealth departments contributed to developing the response and State and Territory governments and other organisations were also consulted. The response affirmed support for the vast majority of the Committee's recommendations. For each of the 79 recommendations, the Government's attitude to it was stated, the current policy position was described and a timetable for further action was set out. Three recommendations, or parts of recommendations, were supported only in part, and 12 were identified for further consideration. Only six recommendations, or parts of recommendations, were not supported. Many of the Committee's recommendations were taken up in the New National Agenda for Women.

Recommendations for legislation affecting such areas as superannuation, coverage of Federal awards and sexual harassment were the subject of a Statement by the Prime Minister in September 1992. He subsequently introduced legislation which effected far-reaching reform of the *Sex Discrimination Act 1984*. The reforms which took effect in February 1993, make the Act more effective and ensure protection of women workers in enterprise bargaining. Changes to the Act are described in detail later in this report, in the discussion of Articles 1-3 of the Convention.

Office of the Status of Women

Policy advice to the Government is provided by the Office of the Status of Women (OSW), which is a division of the Department of the Prime Minister and Cabinet. OSW also initiates, coordinates and administers Government policies and programs or projects designed to raise the status of women, advises the Government on matters relevant to women and provides relevant information to and about women.

One of the major responsibilities of OSW is the development and monitoring of the National Agenda for Women. OSW also coordinated the Government's response to *Half Way to Equal* and prepared Australia's second periodic report to the CEDAW Committee.

Review of policy advising mechanisms on status of women issues

In May 1993, the Prime Minister announced that he had requested the Minister Assisting the Prime Minister for the Status of Women to chair a review of the Government's policy advising mechanisms on the status of women. The aim of the review was to ensure that the Government's policy advising mechanisms remain appropriate, effective and responsive to the changing needs and interests of women.

The outcomes of the review were released on 18 October 1993. A copy of the report to the Prime Minister is included in Appendix A. The review found that there was strong support for OSW giving primacy to its policy advising role and becoming a strategic policy unit focussing on a limited number of high priority issues. There was also support for OSW conducting basic research to detect and address 'fresh' issues and problems. To ensure the momentum for advancing the status of women is maintained OSW will focus its activities as a strategic policy division within the Department of the Prime Minister and Cabinet. The Office will have a new organisational structure to underpin its policy focus, including a standing policy taskforce to address issues of longer term significance to women and increased resources devoted to policy work.

To maximise effectiveness, it has been agreed that there will be an initial focus on three broad policy areas as a priority. These are: women's employment and economic security, with particular emphasis on superannuation; women and public life, with particular emphasis on involvement of women in decision making; and, women and the law, with particular emphasis on the elimination of violence against women. OSW will also give high priority to monitoring the implementation of policies of specific relevance to women announced during the 1993 election campaign, in particular the range of new child care policies and the introduction of the home child care allowance.

OSW will also retain primary responsibility for Australia's participation in international women's activities. Such activities will be maintained and strengthened in the lead up to the United Nations Fourth World Conference on Women.

The review also sets out an approach to consultation which is designed to be effective and focussed and to elicit the views of the diversity of Australian women. There will be twice yearly Round Table Meetings of national women's organisations and other organisations of particular relevance to women, hosted by the Minister Assisting the Prime Minister for the Status of Women and involve other Ministers as necessary. The meetings will give women's and other relevant organisations the

opportunity to raise issues directly with the Government and will also provide a valuable channel for regular feedback to the these organisations on the issues they have raised.

Specific advisory committees will also be convened as necessary to assist the Government with discrete tasks. The first such committee will be the Australian Council for Women which will act as a focal point for Australia's preparations for the United Nation's Fourth World Conference on Women.

In the light of this framework for consultation, the National Women's Consultative Council, which has reached the end of its fourth term will no longer continue to operate.

Reservations to the Convention

At the time the Convention entered into force for Australia in 1983, the Australian Government advised that it was not in a position to take the measures required by Article 11(2)(b) to introduce maternity leave with pay or with comparable social benefits throughout Australia. The Government also advised that it does not accept the application of the Convention in so far as it would require the application of Defence Force policy which excludes women from combat and combat-related duties.

There have, however, been further developments in Australia's position/policies with respect to these reservations and these are discussed in Article 11.

INDIVIDUAL ARTICLES OF THE CONVENTION: PROGRESS

ARTICLES 1-3 ELIMINATION OF DISCRIMINATION

Inquiry into Equal Opportunity and Equal Status for Women

The House of Representatives Standing Committee on Legal and Constitutional Affairs' Report of the Inquiry into Equal Opportunity and Equal Status for Women in Australia, *Half Way to Equal*, contained a number of recommendations on legislative changes required to advance the equality of women. Changes to the provisions of sex discrimination legislation were implemented through the *Sex Discrimination and Other Legislation Amendment Act 1992*. Changes include:

- The *Sex Discrimination Act 1984*, the *Human Rights and Equal Opportunity Act 1986* and the *Racial Discrimination Act 1975* have been amended to allow complaints of victimisation brought under those Acts to be conciliated by the Human Rights and Equal Opportunity Commission. Previously, victimisation could only be prosecuted as a criminal offence. While these provisions apply to all complainants, women are the main users of the Sex Discrimination Act.

- Representative complaints provisions of the Sex Discrimination Act, the Racial Discrimination Act and the *Disability Discrimination Act 1992* have been streamlined and brought into line with those of the Federal Court. A person may now bring proceedings on behalf of a group of seven or more.

- A new definition of sexual harassment was inserted into the Sex Discrimination Act so that a complainant need no longer demonstrate disadvantage; it will be sufficient that the complainant was offended, humiliated or intimidated by the behaviour in question and it was reasonable to feel that way. The provisions extend to the same areas in which discrimination on the basis of sex, marital status or pregnancy is unlawful, and also proscribe sexual harassment of staff and adult students at educational institutions.

- The *Human Rights and Equal Opportunity Legislation Amendment Act (No. 2) 1992*, which came into force on 13 January 1993, amended the *Sex Discrimination Act 1984* to prohibit the dismissal of an employee from her or his employment on the grounds of family responsibilities. Family responsibilities are defined by the Sex Discrimination Act as the responsibility to care for, or support, a dependent child or any other immediate family member.

State and Territory initiatives for eliminating discrimination

Tasmania

The Tasmanian Women's Consultative Council conducted a Phone-In on Sex-Discrimination in September 1993. The aim of the phone-in was to:

- document instances of sex discrimination against women in Tasmania;
- identify areas in which discrimination on the basis of sex occurs in Tasmania;
- identify the form and context of instances of sexual harassment in Tasmania; and,
- document the mechanisms and processes that women have used to deal with complaints about sex discrimination (ie to whom the discriminatory behaviour was reported, what actions were taken, what outcomes were achieved).

A report of the results of the phone-in will be submitted to the Tasmanian Minister for the Status of Women for his consideration.

New South Wales

During a Cabinet reshuffle in late May 1993, the Premier of New South Wales announced the establishment of the New South Wales Ministry for the Advancement and Status of Women and the Minister for the Status of Women. A Policy Unit within the Ministry is producing a Women's Policy Statement, which will contain government initiatives to eliminate discrimination against women and improve the status of women in New South Wales. The Policy Statement will contain outcomes, performance indicators, mechanisms, targets and responsibilities for implementation, ensuring a state-wide coordinated response to women's policy issues. Monitoring and evaluation will be carried out by the Ministry, with an annual report to Cabinet.

A Women's Information and Referral Exchange has been established within the Ministry which will attempt to address women's needs for adequate information about available resources, government programs and services. This will be a pilot project and analysis of statistics gathered through the program over the next twelve months will be used to inform policy development. Disadvantaged and remote women are particular target groups.

Northern Territory

The Northern Territory Anti Discrimination Act was assented to on 18 December 1992 and commenced on 1 August 1993. A Commissioner for Anti Discrimination appointed in July, will establish the Anti Discrimination Office.

Western Australia

The Western Australian Equal Opportunity Amendment Act 1992 which included age discrimination and family responsibilities or status, was proclaimed on 8 January 1993. The Western Australian Equal Opportunity Commission advised that in the first six months of 1993, 10 per cent of all complaints pertained to age, family responsibilities or status and racial harassment.

A review of the women's interest program, completed in May 1993, examined the existing roles of the Office of Women's Interests(OWI), Women's Advisory Council and the Women's Information Service and identified future directions for the Government's women's interests program. The review recommended that OWI have a stronger policy formulation and co-ordinating role in the development of strategic policy across Government. As a result of this direction the operational structure of the OWI has been more clearly defined.

The Women's Advisory Council and the Women's Information Service functions will enhance the policy development model to be applied in OWI. The Women's Advisory Council will be extended to provide for increased community consultation and representation on a regional basis so that issues of concern to a broad range of women can be more readily identified.

Access to information will be refined through a central telephone service. The 'shop-front' service has been phased out in favour of monitoring access to information provided by other sources, and there will be a community education program to foster greater 'self help' and community participation.

Victoria

Measures to protect Victorian employees are now contained in the *Employee Relations Act 1992*. This Act introduced new provisions with respect to laws relating to employee relations, repealed the *Industrial Relations Act 1979* and amended other legislation including the *Trade Unions Act 1958*.

The legislation is intended to promote efficient and productive industry in Victoria and an effective labour force. Objectives of the legislation are to promote industrial harmony, protect fundamental civil liberties and provide a framework for the settlement of disputes.

Victorian public sector employees are covered by the general industrial framework established by the *Employee Relations Act 1992*. However legislation specific to the public sector is the *Public Sector Management Act 1992* which repeals the Public Service Act.

The Public Sector Management Act is intended to promote a more efficient and competent public sector. Principles of merit and equity are emphasised in the Act particularly in relation to recruitment and appointment to higher duties assignments.

The Act also provides an opportunity for the negotiation of flexible arrangements to better accommodate those employees with family responsibilities. Part time employment can be negotiated during pregnancy and for a period after a child is born. Some sick leave entitlements may be taken to care for a family member without the usual requirement of a medical certificate.

Australian Capital Territory

The Australian Capital Territory Attorney-General's Department issued a discussion paper on the issues and options for age discrimination law in the Territory. The proposed amendment to the *Discrimination Act 1991* would have many implications for women in the Territory as the combination of age and sex has often meant that women have been disadvantaged.

ARTICLE 4 SPECIAL MEASURES

Review of the Affirmative Action Act

The first major review of the *Affirmative Action (Equal Employment Opportunity for Women) Act 1986* was completed in 1992-93, resulting in legislative amendments to expand its coverage and scope. For example, the exemption for voluntary bodies has been removed so that the Act now covers community organisations and non-government schools with more than 100 employees. Elected union officials and trainees employed by group training schemes are now counted as employees under the Act.

The Director of Affirmative Action may now vary reporting requirements to allow greater flexibility for organisations with excellent affirmative action programs, thus enabling the report format to be altered to permit, for example, detailed reporting in one year and exemption from reporting the next.

Affirmative Action, government contracts and industry assistance programs

A contract compliance policy introduced in the Commonwealth Department of Administrative Services on 1 October 1992, requires that, in order to do business with the Department, suppliers must comply with the *Affirmative Action (Equal Employment Opportunity for Women) Act 1986*. When the policy was introduced, 19 companies did not comply with the Act. Currently only four companies do not comply. In January 1993, this policy was extended as Commonwealth policy. Companies that do not comply with the Act are ineligible to provide goods and services to the Commonwealth Government. In addition, from 1 January 1993, organisations which fail to comply with the Act are not eligible for specified forms of industry assistance administered by the government.

Equal Employment Opportunity in the Commonwealth Public Sector

Equal Employment Opportunity: A Strategic Plan for the Australian Public Service for the 1990s was launched by the Minister for Industrial Relations and Minister Assisting the Prime Minister for Public Service Matters on 18 May 1993. The strategic plan is the result of extensive consultations which included women staff and representatives of women's organisations.

Women's Budget Statement

As part of OSW's monitoring function, it produces an annual *Women's Budget Statement*. A Statement was released in August 1992 and in August 1993. The Statements provide detailed reports on the impact of all Commonwealth Government programs and policies, including expenditure, on women. The processes in the annual contributions to the Statement have served to raise awareness of gender equity issues in Government departments and agencies and have contributed to the development of monitoring procedures which enhance equality of access and provision for women. The 1993-94 *Women's Budget Statement* included a report on the implementation of the New National Agenda.

When introduced in 1984 the *Women's Budget Statement* was an innovation. It provided a wealth of new information about the impact of government policies and programs on women and instigated a process whereby government departments were required to critically examine their activities from the perspectives of women. However, one of the outcomes of the recent review of the government's policy advising mechanisms on women's issues was that the *Women's Budget Statement*, while still a very useful resource document, was no longer achieving its objectives. It has been agreed that it will be replaced by a concise, analytical document, focussing on the socio-economic position of women. This analysis will include comment on the effectiveness of government programs, for example, by relating growth in women's employment to the availability of appropriate child care places. Additionally, the guidelines for program performance statements will be amended to require Commonwealth Departments to account for their performance in implementing the Government's policies on women.

Some State and Territory governments also produce women's budget statements. The Tasmanian and Victorian Women's Budget Statements include an analysis of the level of women's membership of Government Boards and Committees by portfolio. At the Commonwealth level this reporting is done in the annual reports for each department or agency.

Appointment of Women

OSW maintains the Register of Women, a database of women with particular skills, including information on their work experience, interests and expertise which is used by Commonwealth Government departments as a source of names for possible appointments to committees, boards and authorities. As a result of the review of Government policy advising mechanisms on status of women issues a revised procedure for putting Government appointments to Cabinet will be introduced. OSW will undertake new measures to achieve more rapid progress towards equal representation of women and men on Government boards and authorities. The Register of Women is currently being expanded, updated and upgraded and the private sector will be encouraged to use it. The feasibility of the Register of Women being operated by a private sector agency will also be examined.

State and Territory governments maintain similar information. For example, the Victorian Women's Register has been updated and transferred to new computerised data base. There are currently about 500 women registered.

ARTICLE 5 ELIMINATION OF PREJUDICE

ELIMINATION OF STEREOTYPES

Portrayal of Women in the Media

During the years 1989-93 the National Working Party on the Portrayal of Women in the Media canvassed and researched various issues which contribute to the portrayal and representation of women in the media.

On 1 July 1993, the Minister Assisting the Prime Minister for the Status of Women hosted a National Forum on the Portrayal of Women in the Media on behalf of the National Working Party. The purpose of the Forum was to discuss with key industry representatives strategies for change.

At the Forum, there was also a launch of the Women and Media Kit which presented striking results from the first contemporary national content survey of print and television news and current affairs. The survey examined the portrayal characteristics of the front pages of 34 metropolitan and regional dailies and of the five major television network news programs. The principal findings were that women were substantially under-represented in those areas of Australian news and media examined.

Following the Forum, Senator Crowley met with major television executives on 15 July 1993 to discuss how to address the issues raised by the research. Subsequently, a consultant, Ms Maxine McKew, a senior media figure, was engaged to work with reference groups established within the commercial television industry to effect change in the four target areas of education, employment, creativity and industry regulation. This new structure has replaced the National Working Party on the portrayal of women in the media which is no longer in operation. Ms McKew, with the reference groups, is working closely with executives and other staff within the commercial television area to: develop strategies to improve the status of women in the specified target areas of the television industry; liaise with the management on equal employment opportunity strategies; assist the development of non-sexist strategies in respect of program-making, selection and advertising; assist in the development of an Advisory Group to pursue the matter of Codes of Practice within the commercial television industry; assist the industry in the development of Advisory notes for staff; and, provide advice to the Government on a regular basis.

The New South Wales Ethnic Affairs Commission provided funding for the development of a media kit by the New South Wales Filipino Women's Working Party. The kit was designed to enhance the portrayal of Filipino women in the media; and to correct the stereotypes of Filipino women as 'brides', sex objects and which associate them with prostitution. Training workshops on media skills have also been held to empower Filipino women to directly address issues of concern to them via the media.

Voluntary Codes of Practice

The Australian Broadcasting Corporation (ABC) has introduced a Code of Practice, in accordance with mandatory obligations set out in the *Australian Broadcasting Corporation Act 1983*, which requires the ABC to avoid the presentation or portarayal of people in a way which is likely to encourage denigration of or discrimination against them, on the basis of nationality, sex, age, occupational status and so on. The ABC's editorial policies, determined by its Board of Directors in June 1993, require avoidance of language and images which convey discriminatory assumptions

about the social roles of women. They also require that stories or issues of direct relevance to women are not trivialised by being recast according to traditional male values and interests, given a lesser priority, or presented as a curiosity.

Early in 1993, the Special Broadcasting Service (SBS) notified the Australian Broadcasting Authority of its Code of Practice which includes the following statement:

> *The SBS aims to promote a greater awareness of the actual and potential contributions of women through programming which properly reflects the range and roles in which women are involved in Australian society.*
>
> *The portrayal of women should not create or reinforce sexual, gender or racial stereotypes. Programs which suggest that the exploitation of women is acceptable practice will be avoided.*
>
> *The SBS provides opportunities for women to direct, produce and present programs. A high level of involvement from women is sought in general programs including news, current affairs, entertainment and sport - and specifically in programs dealing with issues of particular concern to women. The SBS seeks to maximise the on-air presence of women, be it on radio or television.*
>
> *The SBS recognises the particular needs of women of non-English speaking background. Whilst respecting cultural differences in the perception of women, the SBS does broadcast programs which directly challenge accepted cultural views of women. The SBS seeks to challenge stereotypes by reflecting a wide variety of cultural mores and portraying women in both traditional and modern roles.*

In relation to commercial broadcasting, in accordance with section 123 of the Broadcasting Services Act 1992, both the Federation of Australian Commercial Television Stations (FACTS) and the Federation of Australian Radio Broadcasters (FARB) have registered self regulatory codes of practice with the Australian Broadcasting Authority (ABA). Both codes include anti-discrimination provisions. A licensee may not broadcast a program which is likely, in all the circumstances, to stir up hatred, serious contempt or severe ridicule against a person or group of persons on various grounds including gender.

FARB has subsequently developed *Guidelines for the Portrayal of Women on Commercial Radio* to assist broadcasters to better understand and meet the object of the code, and lead to a more accurate and equitable portrayal of women in the media.

Women in Advertising

The advertising industry is self regulating. While there is at present, no specific code to address the issue of sexism in advertising, the Advertising Federation of Australia established a Committee on Women in Advertising in October 1993 to develop policy and programs to promote the positive portrayal of women in advertising.

In January 1993, the National Working Party on the Portrayal of Women in the Media produced a set of Advisory Notes on portraying women in the media. The notes were produced after an extensive examination of the portrayal of women in advertising and are intended to be informative and educative as well as to encourage advertising in all media to recognise and reflect the significant and ongoing changes, both in women's attitudes and their roles in society. Issues covered include authority, stereotyping, sexuality, family composition and lifestyle.

Film and Literature Classification

Classification of Print Media

The Standing Committee of Attorneys-General and Censorship Ministers, a joint Commonwealth, State and Territory body, instituted a new set of guidelines for the classification of publications and poster advertising throughout Australia in July 1992.

The new guidelines aim to balance the rights of people in the community to have the widest possible choice in what they read without being confronted by material that may be offensive. In addition, one of the principles set out in the guidelines pays close attention to depictions of acts of violence and in particular, acts of sexual violence. Material which condones or incites violence or which is demeaning may be restricted or refused classification by the Office of Film and Literature Classification. Covers and advertising posters for magazines will also need to comply with the new guidelines.

New Uniform Classification System for Film, Video and Television

Following meetings with the Federation of Australian Commercial Television Stations representatives and the Chief Censor, the Prime Minister announced an agreement on 24 November 1992 for the establishment of:

- a uniform classification system for cinema/video movies and television programming;
- a splitting of the mature (M) film category into M and MA for more violent or sexually explicit movies; and
- a shift in the commencement time for MA television programs from 8.30pm to 9.00pm.

At its meeting in December 1992, the Council of Australian Governments agreed to endorse the move to the "M" and "MA" classifications and agreed to amend the relevant state censorship legislation.

Proposed regulation of video games

In response to concern that there was no system of regulation for video games from overseas beginning to enter the Australian market, some of which were violently explicit, the Standing Committee of Censorship Ministers agreed at a meeting of 24 June 1993, that a system of regulation should be developed to cover such material.

Censorship Ministers agreed on 4 April 1993 that:

- computer games and computer generated images are to be subject to a compulsory classification system;
- the classification system for computer games is to be similar to that for films and videos; and
- games available on amusement arcade machines are also to be subject to the scheme.

Draft guidelines in regard to computer games are currently being circulated for public comment.

Women in their Diversity

The national social report, *Women in Australia*[1], released in May 1993 by the Australian Bureau of Statistics, provides statistical information and explanatory comments about the situation of women in Australia, with a focus on different groups such as young single women, married women with, or without children, lone mothers, older women, women from non-English speaking backgrounds, Aboriginal and Torres Strait Islander women, and women who live in major urban and other areas. It covers eight broad areas of social concern: population, family, health, education, work, income, housing and leisure with the purpose of bringing together a compendium of statistical information on women.

VIOLENCE AGAINST WOMEN

The Commonwealth contributed over $56 million in 1992-93 towards 263 women's refuges and shelters, 50 counselling services and 61 services for young women.

National Committee on Violence Against Women

The *National Strategy on Violence Against Women*, a framework for government action to eliminate violence against women and to measure progress towards that goal, was presented to the Prime Minister in October 1992. It was considered by the Commonwealth and State Ministers' Conference on the Status of Women in October 1992 and at the first meeting of the Council of Australian Governments in December 1992. It has also been considered by the Standing Committee of Attorneys-General and other Ministerial Councils. Major aspects of the Strategy are incorporated into the New National Agenda for Women.

$1.94 million has been provided to extend the work of the National Committee on Violence Against Women for the four years from 1993-1997.

New State and Territory initiatives

New South Wales

In March 1993, a Domestic Violence Advisory Council(DVAC) and the Domestic Violence Unit were established within the New South Wales Women's Coordination Unit (now within the Ministry for the Status and Advancement of Women). DVAC is responsible for providing the New South Wales Government and its relevant organisations with advice on matters relating to domestic violence as it affects women and their dependants. The focus of DVAC is to advocate for improved service responses to victims of domestic violence and improved access to protection through the courts. In relation to women of non-English speaking backgrounds, the New South Wales Ethnic Affairs Commission published a guide for service providers on the Use of Interpreters in Domestic Violence and Sexual Assault. DVAC also plans to produce resources which are relevant to Aboriginal women who have experienced domestic violence.

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[1] This should not be confused with Australia's second progress report on implementing the CEDAW Convention which also has the same title

The Domestic Violence Unit develops and coordinates policies and programs as recommended by the Domestic Violence Strategic Plan. One of the outcomes of that Plan has been the development of the first Domestic Violence Policy in the New South Wales Department of Health. The policy provides areas and districts with a set of procedures to deal more effectively with clients in situation of domestic violence. It attempts to deal with cases of domestic violence with greater sensitivity, ensuring clients are referred to other services, and not discharged from the health system into the environment of danger from which they came.

Queensland

In August 1993, the Queensland Government launched a policy on the prevention of violence against women. The policy identifies six specific categories of activities which need to be undertaken; consultation, policy coordination and planning, statutory responsibility, prevention and early intervention, crisis and support services, community education and training.

Part of the strategy of developing a coordinated and integrated approach to domestic violence service delivery involves the establishment of a data collection process that is consistent across each of the services. In this way, comprehensive data on the prevalence and nature of domestic violence in Queensland will be available.

Tasmania

In August 1992, the Tasmanian Government established the Tasmanian Domestic Violence Advisory Committee (TDVAC), which has representatives from community organisations and Government agencies. The TDVAC advises the Minister for Community and Health Services about issues related to domestic violence policy and service delivery. The TDVAC has responsibility to undertake community education in relation to domestic violence.

The Tasmanian Department of Community Services is establishing a program with the aim of: increasing community understanding of the issues involved in family violence; reducing the incidence of domestic violence; and ensuring the support and safety of domestic violence victims and survivors.

The Domestic Violence program incorporates three sub programs: domestic violence policy; the crisis intervention unit; and domestic violence grants program.

Victoria

In Victoria, the Community Council Against Violence has been restructured with the establishment of three taskforces, one being the Violence Against Women Taskforce.

Australian Capital Territory

The Australian Capital Territory *Domestic Violence (Amendment) Act 1992* formalised the working relationship between the Australian Federal Police and the Domestic Violence Crisis Service (DVCS). This Act was gazetted in July 1992. Further, an amendment to the Crimes Act in 1992 allows police to search for concealed weapons in domestic violence cases.

The Australian Capital Territory Community Reform Committee (CLRC) report on victims of crime is near completion. The report involves many issues relevant to women including victims of domestic violence, sexual assault and other crime. The focus of the report is to identify and determine how the criminal justice system can better respond to the needs of victims of crime.

The CLRC is also considering its reference on domestic violence in the Territory. A discussion paper was tabled in the Legislative Assembly in December 1992 to facilitate community discussion. The CLRC also commissioned research into domestic violence issues in the Territory. This research, which is the most comprehensive ever undertaken on domestic violence in the Territory jurisdiction was tabled in the Legislative Assembly in June 1993. The CLRC is currently considering its final recommendations for the reform of the Territory's domestic violence laws in the light of community consultation and the research findings.

Income support services to assist victims of domestic violence

Social Security payments and services can assist women in or escaping violence. During 1993-94, the Commonwealth Department of Social Security will implement its Policy on Domestic Violence Against Women, which will facilitate sensitive and consistent treatment of affected women by Department of Social Security public contact officers. There will be comprehensive staff training, followed by a publicity campaign to let women know about services available to assist victims of domestic violence.

National community education

The National Community Education Program *STOP VIOLENCE AGAINST WOMEN* is a three year program for 1992-1995 with a total allocation of $3.48 million. In its first year, the program allocated $600 000 from the National Agenda for Women Grants Program to 38 local community education projects on Stopping Violence Against Women.

On 8 November 1993, the Minister Assisting the Prime Minister for the Status of Women launched the community education campaign: *STOP VIOLENCE AGAINST WOMEN*. A set of posters was released to be displayed on billboards around the country and in media advertising and are being distributed widely to schools, clubs and service providers. The major theme of the poster campaign is that the community will no longer tolerate violence against women. Prominent Australian men have been involved in the development of one of the posters and four of the five posters speak particularly to a male audience.

In addition, the Minister Assisting the Prime Minister for the Status of Women announced the allocation of a further $4000,000 for a second round of community grants to fund a range of projects with national potential for community education on stopping violence against women.

A number of special projects are also being supported as part of the program. For example, in 1993/94 a national resource kit containing information on violence against women, program ideas, support services, legal options and so on will be developed for use by community organisations and occupational groups. Also, the program will be developing a campaign for young people on the issue of consent in sexual relations.

State and Territory Government Education Programs

Queensland

To coincide with the commencement of amended domestic violence legislation in Queensland, an extensive awareness campaign was launched in May 1993. This included updating existing brochures, posters and press, billboard and bus advertising.

Tasmania

A Domestic Violence Education for Rural Health Workers project, was undertaken in Northern Tasmania. It involved four half-day sessions in 8 rural areas and covered the nature of domestic violence, attitudes and values surrounding domestic violence and issues specific to people living in rural areas in relation to domestic violence.

Victoria

The Victoria Police have increased their resources relevant to family violence training initiatives - this includes the development of print and video materials, and the wider use of professionals and workers in the field.

In the Australian Capital Territory, the Women's Information and Referral Centre has completed a pilot education program. The target audience for the program were people within the Territory Government Service who are the first point of contact for clients who may be domestic violence survivors.

Violence Against Aboriginal and Torres Strait Islander Women

OSW is working with the Family Violence Intervention Program (FVIP) to develop community education material on violence against women for use by FVIP in Aboriginal and Torres Strait Islander communities.

In the Northern Territory, the Alice Springs Aboriginal Child Care Agency operates a Family Intervention Service as part of the FVIP. It is staffed by two Aboriginal field officers who train community workers in the skills required to address family violence, within a community development context. A similar program will commence in 1993-94 in Darwin.

Aboriginal women from a remote community west of Alice Springs (Yuendumu) operate a night patrol to make their community safe from violence. They work closely with police in their community. This program has encouraged Aboriginal groups in small urban towns to run similar patrols.

In Queensland, an Aboriginal and Torres Strait Islander training strategy on domestic violence is presently being developed in consultation with key Aboriginal and Torres Strait Islander organisations.

Violence against women of non-English speaking background

The Department of Immigration and Ethnic Affairs has instituted domestic violence training for Grant-In-Aid workers. The Department also provided a major Migrant Access Projects Scheme Grant to the Patricia Giles Centre Women's Refuge in Western Australia to translate and print a booklet entitled Fresh Start to assist migrant women who have suffered abuse. Culturally relevant domestic violence education is also provided to migrants by Government-funded Migrant Resource Centres in some states.

In October 1993 the Department of Immigration and Ethnic Affairs produced a report *Domestic Violence in Ethnic Communities, Perth, Western Australia*, which highlighted special needs of non-English speaking background women subjected to domestic violence.

Protection Orders

The Standing Committee of Attorneys General is currently examining the issues which arise when there is conflict between the terms of a protection order made by a Magistrates Court in a State or Territory and an existing access order made by the Family Court of Australia to ensure the protection of women and children.

All States and Territories now have legislation which provides for the issuing of court orders, protection orders and intervention orders which can be obtained on the civil standard of proof, to the victims of domestic violence. Some States and Territories have amended and strengthened this legislation.

South Australia

In South Australia, the *Summary Procedures Act Amendments Act 1992* has enabled the following:

- telephone protection orders to be obtained in urgent circumstances out of court hours;
- recognition of interstate protection orders;
- mandatory confiscation of firearms and cancellation and prohibition of licences when protection orders are made;
- police have power to detain an alleged offender for two hours to enable a telephone protection order to be sought; and
- increase in maximum penalty for breach of protection order from six months to two years.

Northern Territory

The Domestic Violence Act was passed in the Northern Territory in November 1992. The Act introduced separate legislation regarding provisions relating to domestic violence which were previously part of the Justices Act. It provides for the enforcement of interstate restraining orders which will enable a woman with a restraining order from another state to register that order in the Northern Territory. The order is then enforceable under the terms of the Northern Territory

legislation. There are also provisions for mandatory imprisonment for third or subsequent breaches of orders within the new Act.

In 1992 the Darwin-based Domestic Violence Legal Help Service has been established to assist women who are victims of domestic violence through the court system when they are applying for restraining orders. It is staffed by two solicitors on a full-time basis. A similar service will be piloted in Alice Springs.

Tasmania

In Tasmania, amendments to the Criminal Code, Police Offences Act, and Justices Act were passed in December 1992. *The Justice Amendment (Domestic Violence) Act 1992* clarified police powers of intervention, apprehension and arrest in situations of domestic violence. Police officers now have the power to arrest without warrant where the officer has reasonable cause for suspecting a person has committed an assault; the power of preventative arrest where physical or verbal intimidation is likely to result in an assault; and the power to apprehend and take into custody a person for the purposes of applying for a restraint order.

The Justice Legislation Amendment (Domestic Violence) Act 1992 also allows for the interstate portability of restraint orders and cancellation of gun licences on issue of a Restraint Order.

Queensland

The Queensland Government had completed a review of the State's Criminal Code. Many submissions were received detailing concerns with rape law reform, child sexual abuse and the process of considering the public submissions is continuing. Significant amendments to the Queensland *Domestic Violence (Family Protection) Act 1989* were proclaimed on 28 May 1993, providing for the revoking of firearms licenses as a standard condition on protection orders; the registration of interstate domestic violence orders; an extended period of time for orders to a maximum of two years; and the extension of protection orders to relatives and friends of the aggrieved.

Legislation which allows reciprocity of domestic violence protection orders between jurisdictions came into effect in the Australian Capital Territory in July 1992. This enables people to register an interstate order in the Magistrates Court, making it legally enforceable in the Territory.

Rape

South Australia

In South Australia, the Criminal Law Consolidation (Rape) Amendment Act was enacted in 1992. This amendment removed the limitation that a person could not be convicted of rape or indecent assault on his spouse unless the alleged offence consisted of, was preceded by or accompanied with, or was associated with an assault occasioning actual bodily harm, an act of gross indecency, or act calculated seriously and substantially to humiliate the spouse, or threat of the commission of a criminal act against any person.

Northern Territory

The Department of Law in the Northern Territory has prepared an implementation strategy for the proposals outlined in a Sexual Abuse Discussion Paper released in 1992. These included proposals in relation to rape law reform. The strategy will be considered by the Attorney General in 1993.

Queensland

The Queensland Women's Health, Sexual Assault Program commenced in 1992 and aims to establish and maintain community-based rape crisis/sexual assault services, in conjunction with hospital-based acute services. At present, there are 13 services across Queensland with funding approved for further services.

New South Wales

A phone-in for victims of sexual assault was launched in New South Wales on 21 April 1993. A number of recommendations have been made as a result of the outcomes of the phone-in and these are currently being taken up by several relevant government departments, including the Attorney-General, the Department of Courts Administration, Office of the Director of Public Prosecutions, the Police Service and the Department of Health.

The New South Wales Sexual Assault Committee, comprising government and community representatives, is currently undertaking a review of the Criminal Justice System and its impact on victims, judicial education, victim's compensation, and media issues. The Committee is also reviewing access to legal and other relevant services for rural and remote communities.

Australian Capital Territory

A comprehensive review of the adequacy of the Australian Capital Territory's sexual assault laws and practices was announced in January 1993 by the Attorney-General. The review will be undertaken by the ACT Community Law Reform Committee. It is expected that a discussion paper will be released for community consultation late in 1993.

Female Genital Mutilation

The Commonwealth Government is concerned that young women and girls migrating to Australia particularly from the Horn of Africa, may be at risk from female genital mutilation practices after they have settled in Australia. An Inter-Departmental Committee has been looking at the issue for seven months and the effectiveness of current legislation in relation to the protection of the rights of the child is currently being assessed by the Attorney-General. The Committee is also considering programs to assist women who have been mutilated with health care needs and education programs for the wider community.

FAMILY EDUCATION

Gender Equity

In 1993-94, the Commonwealth Gender Equity in Curriculum Project will produce a document for teachers and educators on gender issues in the curriculum. Other projects have addressed issues such as eating disorders, gender inclusive curriculum, sexual harassment, teaching practice and girls with double disadvantage. These projects inform teachers, teacher educators and curriculum developers about girls' education needs and how to improve their post-school options.

Tasmania

The Tasmanian Government is pursuing its Gender Equity in Schools and Colleges Program. Program objectives include: examining the construction of gender; improving sex based harassment procedures; reforming the curriculum; broadening work education; addressing the needs of girls at risk; and changing school organisation and management.

Key policy issues addressed by the program include the different expectations for girls and boys with regard to behaviour, intellectual ability and life options, curriculum imbalances in the failure to adequately reflect the contributions, achievement and perspectives of women, and the lack of female role models and mentors. During 1993 activities include a Gender Equity Workshop, dealing with sex-based harassment.

Queensland

In March 1992, the Queensland Policy on Gender Equity in Education was released. The policy focuses on equality of opportunity for girls and boys and addresses the areas of curriculum development and implementation, teacher practices, subject choice, resources, career counselling, school and class organisation. A Sexual Harassment Policy has also been developed and training is occurring to ensure its implementation and monitoring in schools.

ARTICLE 6 EXPLOITATION AND TRAFFIC IN WOMEN

Regulation of Prostitution

Northern Territory

The Northern Territory passed the Prostitution Act in 1992. The Act does not prohibit living on earnings of prostitution, permits escort agency premises to be used for the purposes of prostitution, makes procuring and consorting with, an offence for under 18 year olds and prohibits brothel keeping. The licensing and scrutiny of escort agency operators and managers is performed by the Escort Agency Licensing Board.

Queensland

In Queensland in February 1993, the Prostitution Laws Amendment Act 1992 was proclaimed. The Act is aimed at organised prostitution including brothels and escort agencies. The legal status of sole-operator prostitutes was not changed by the new legislation. The legislation is gender neutral, treating prostitutes and clients equally under the law.

The Queensland Government has rejected the legalisation and regulation of the sex industry, endeavouring not to institutionalise prostitution, nor to cast prostitution as an acceptable role for women. The Government has also put in place a range of health and social reforms to deal with the consequences of prostitution including the upgrading of public services for sexually transmitted diseases; education, advocacy and referral services for prostitutes who wish to leave the industry; and youth outreach programs to alleviate "opportunity" prostitution amongst young people.

Australian Capital Territory

The Australian Capital Territory *Prostitution Act 1992* and the *Prostitution (Consequential Amendments) Act 1992* has conferred on sex industry workers the rights afforded to other workers in other industries, including the right to safe working conditions and proper compensation for work related injury or damage. In the Prostitution (Consequential Amendments) Act, any offence at common law relating to prostitution, including keeping a brothel or common bawdy house, ceases to have any force or effect in the Territory. The objectives of the Act are to safeguard public health; to promote the welfare and occupational health and safety of prostitutes; to protect the social and physical environment of the community by controlling the locations of brothels; and to protect children from exploitation in relation to prostitution.

International Trafficking

The Commonwealth Government has been considering options for dealing with the problem of sexual exploitation of children by Australians overseas, including the creation of a criminal offence of engaging in sexual relations with minors, with extraterritorial application. The principal aim of such legislation would be to deal with the activities of Australian paedophiles and pederasts who travel to countries primarily in South East Asia as well as elsewhere for the sexual exploitation of child prostitutes. Consideration has also been given to what action might be taken at the Commonwealth, State and Territory level against those persons responsible for organising overseas tours for the purpose of engaging in sexual relations or activities with minors and those who otherwise profit from child sexual exploitation.

It is expected that legislation will be passed by February 1994 to enable prosecution of Australians who engage in paedophile or pederast activities overseas. The legislation will also make it illegal to advertise and organise child sex tours to countries such as Thailand and the Philippines.

Serial Sponsorship

Allegations are often made that the migration of wives and fiances of Australian residents from certain nations to this country represents a form of exploitation of women, particularly as domestic violence becomes a feature of some marriages. Significant attention is given to the concerns of Filipinos (most often the female partner) in such marriages, as disruptions stemming from resettlement have proved greatest for this group.

To address these concerns, the Australian Embassy in Manila requires all applicants for spouse and prospective marriage visas to be counselled at the Commission on Filipinos Overseas before they submit their applications. All applicants are then interviewed as part of the assessment process. In May 1993, the Embassy's database was expanded to help alert officials to sponsors who have previously sponsored spouses or prospective spouses.

There have been cases where sponsors of applicants for migration to Australia to be married, have had previous sponsorships which have failed, sometimes due to domestic violence. In November 1992, a $30 000 Department of Immigration and Ethnic Affairs-funded report by the University of Wollongong's Centre for Multicultural Studies, *Serial Sponsorship: Immigration Policy and Human Rights,* was released. Its recommendations consider Australia's international obligations, legal and resource aspects. Government initiatives resulting from concern about serial sponsorships in intercultural marriages, particularly in the Philippines, will follow the response to the report.

From 1 December 1992, people entering Australia as prospective marriage (fiance) visa holders were able to use legislative provisions regarding domestic violence. Permanent residence may now be granted to prospective marriage (fiance) visa holders who entered Australia, married, applied to remain permanently and whose relationship with the Australian sponsor has since broken down because of proven domestic violence. The provisions also cover situations where the Australian partner has access rights or maintenance obligations in respect of a child of the relationship.

Woman at Risk

The Refugee and Humanitarian Program administered by the Commonwealth Department of Immigration and Ethnic Affairs provides resettlement opportunities for refugees, displaced persons and others suffering discrimination and hardship world wide. The Woman at Risk component of the program provides priority resettlement opportunities for refugee women and women of concern to the United Nations High Commissioner for Refugees and their dependants who do not have the protection of a male relative and are in danger of victimisation, harassment or serious abuse. Program arrangements provide for referral to specialised support services, such as torture and trauma counselling, on arrival.

The criteria for acceptance under Woman at Risk were expanded in November 1992 to include women 'of concern' to the United Nations High Commission for Refugees, as well as those meeting the official UN definition of a refugee. Greater emphasis on the 'at risk' factor means that more

women will be eligible for acceptance. Information on this change was widely distributed to all potential nominating agencies and to the Department of Immigration and Ethnic Affairs overseas staff.

ARTICLE 7 WOMEN IN POLITICS AND PUBLIC LIFE

Women in Politics

Women represent 14.5% of total members of Australia's parliaments, covering those at Federal, State and Territory levels. Women members make up 12.08% of Upper Houses and 19.83% of Lower Houses. The highest level of representation is in the Australian Capital Territory where women comprise 35% of members of the government and both the Chief Minister and the leader of the Opposition are women.

Prior to the Federal election in March 1993, there were 10 women members of the House of Representatives, Australia's Lower House. There are presently 13 women members of the House of Representatives, making up 8.84% of members. Prior to the Federal election, there were 19 women members of the Senate, Australia's Upper House. There are presently 16 women members of the Senate, making up 21.05% of members.

The Commonwealth/State Ministers Conference has commissioned a discussion paper on women and government in Australian and New Zealand. The discussion paper will provide an analysis of the reasons why women are not being elected to decision-making positions and will also present strategies for women as voters wishing to influence the political agenda. The discussion paper will be considered at the next Commonwealth/State Ministers Conference in October 1994.

Queensland

Leneen Forde was sworn in as the Governor of Queensland on 29 July 1992, becoming the second female Governor in Australia.

In the Queensland state elections in September 1992 the percentage of women in the Legislative Assembly increased by 3% to 14% and the percentage of women in the Queensland Cabinet increased by 5% to 11%, which represents a real increase of an additional woman in each case.

Tasmania

The Tasmanian House of Assembly Reform of Parliament Select Committee has established an inquiry into possibilities for the reform of the Tasmanian Parliament. The Tasmanian Women's Consultative Council are formulating a submission to the Review which will identify aspects of concern to women including:

- barriers to the participation of women as Members of Parliament;
- Parliamentary processes which may limit meaningful debate and consideration of issues of importance to women;
- Parliamentary behaviour which is denigrating to women; and,
- means by which activities of Parliament can be used to enhance women's access to information and understanding of public policy and legislative process.

National Women's Consultative Council

The National Women's Consultative Council comprised representatives from major national women's organisations and other national organisations with large numbers of women members. The Council was established to provide a major link between the Commonwealth Government and the community.

One of the recommendations of the recent review of the Government's policy advising mechanisms on status of women issues was to replace the Council with the Australian Council for Women, which will have a specific focus on Australian preparations for the Fourth UN Conference for women. In addition new consultative mechanisms will be established through bi-annual roundtable meetings of a broad range of women's non-government organisations.

The Council finalised its work on 29 October 1993. From June to October 1993 the work of the Council has included:

- published, in conjunction with the Office of the Status of Women, a 'user-friendly' guide to the Convention on the Elimination of All Forms of Discrimination Against Women;

- updated and published a guide for women on strategies for entering into public life titled *Women Into Action*;

- hosted a forum of women's non-government organisations in September 1993 to discuss preparations for the Fourth UN Conference on Women with the UN Secretary-General for the Fourth World Conference, Mrs Gertrude Mongella; and

- produced a report titled *Managing the Work Injury of Women from Non-English Speaking Backgrounds* on the operation of private rehabilitation systems and their accessibility and effectiveness in meeting needs of Non-English Speaking Background women with occupational injuries. The report was launched in March 1993 and covers rehabilitation programs currently used by employers, differences between private and Commonwealth rehabilitation schemes, preventive measures in the workplace and the different forms of rehabilitation to assist women from non-Engslish speaking backgrounds to return to the workforce.

ARTICLE 8 WOMEN AS INTERNATIONAL REPRESENTATIVES

In March 1993, Helen L'Orange, then head of OSW, led Australia's delegation to the 37th session of the United Nations Commission on the Status of Women (CSW). Australia is currently a member of the Commission following our election last year for the period 1993-96. The delegation, which included NWCC Deputy Convenor Lydia Philippou, sponsored resolutions on the draft Declaration on the Elimination of Violence against Women; Women, Environment and Development, and the UN System-wide Medium-term Plan for the Advancement of Women for 1996-2000, all of which were adopted by consensus. Australia also co-sponsored resolutions on the World Conference on Human Rights, legal literacy, and violence against women in the former Yugoslavia.

There has been some improvement in the number of women serving overseas at senior levels, although the total number is still small. In 1993, there are four female Heads of Mission and three female Heads of Post. there is also one female Senior Executive Service officer serving overseas at Minister level

ARTICLE 9 NATIONALITY

There are no longer any areas of discrimination between men and women with respect to the acquisition and loss of citizenship.

ARTICLE 10 ELIMINATION OF DISCRIMINATION IN EDUCATION

National Action Plan for the Education of Girls 1993-97

The objectives, priorities and implementation of the National Policy for the Education of Girls in Australian Schools were reviewed by an Australian Education Council Working Party. Its report *National Action Plan for the Education of Girls 1993-97,* reaffirms the policy as the basis for equity in girls' education and sets priorities for the next five years. The Action Plan was endorsed by the Australian Education Council in December 1992, and was published in March 1993.

The review investigated girls' experience of primary and secondary schooling and analysed student subject choice at Years 11 and 12. The findings indicate considerable progress, but show that curricula in Australian schools still serve male students better than females. The National Action Plan sets out eight new priority areas for 1993-97: for 1993 and 1994 they include broadening work education, better teaching practice, eliminating sex-based harassment, and curriculum reform.

Open Learning Initiative

For the 1993-95 triennium, $52 million has been allocated for the Open Learning Initiative. Open learning is being implemented by the Open Learning Agency of Australia, a consortium of Australian universities led by Monash University. Higher education courses are offered entirely through distance education modes, including print materials, broadcast radio and television, audio and video tapes, and electronic technologies such as computer-aided learning. There are no entry prerequisites and no quotas on places.

Courses commenced in March 1993 with units in arts, humanities and social sciences, business, education and science and technology. The range of undergraduate offerings will be expanded and both Technical and Further Education and postgraduate courses are expected to be offered by the end of 1993.

The Open Learning Initiative provides access to higher education for many who are currently excluded from on-campus study, for example, by work or family commitments or as a result of social or geographical isolation. Women made up 60 per cent of open learning students in the first two study periods of 1993. Completed units can be credited towards a degree through Open Learning or towards on-campus studies.

From 1994, the Government will make provision for a deferred Higher Education Contribution Scheme-like payment to full-time open learning students enrolled in higher education courses.

Technical and Further Education

Systems of technical and further education are administered by the States. In general, they present three groups of courses: entry level training courses, including full time certificate and diploma courses and work-study combinations such as apprenticeships; bridging and inservice courses; and, general educational and recreational courses.

Tasmania

In Tasmania child care facilities have been successfully established at the Hobart College and at the Hobart Technical College (Eastern Shore Campus), providing places for both students and teachers. A further facility will be established in the North-West college of Technical and Further Education in 1994.

The Tasmanian Department of Employment, Industrial Relations and Training offers units from the Women's Studies Program, in Launceston, Burnie, Devonport and Queenstown. The program targets women who have been absent from employment or training for some time, and is exempt from fees.

The Department employs a State Co-Ordinator, Women's Training Programs, to oversight the implementation of the State Policy for Educational Provision for Women by TAFE, the National Plan of Action for Women in TAFE, Women in Entry-Level Training program, along with the co-ordination and initiation of programs for women. The Department also has women's training consultants available in all regions to provide advice to women on training options available through Colleges of Technical and Further Education. With a special emphasis being placed on information, counselling and support services which aims to broaden the range of options being considered beyond the traditional areas. In addition, the Training Division of the Department maintains a child care subsidy scheme which assists TAFE students with the cost of child care.

Support for women with special needs ensuring access to education and training programs is provided through the Department. Special course provisions are made for migrant, Aboriginal women and, women who have been absent from employment and training for some time.

Victoria

The Victorian Government operates a series of preparatory courses for women under the Affirmative Action in Training Program. As part of this, the Office of the State Training Board and the Commonwealth Department of Employment, Education and Training jointly support seven preparatory trade and technical courses for women.

Australian Capital Territory

The Australian Capital Territory Economic Development Division, through the Women's Adviser(Employment, Education and Training) in conjunction with the Women's Employment Advisory Committee continues to encourage women's employment initiatives and a broadening of career options for women. Measures to assist include the extension of the Tradeswomen on the Move Program, the holding of a women's employment expo targeting women wishing to enter or re-enter the workforce and the administration of a grants program to encourage women to develop the skills and knowledge base necessary to enter or re-enter the workforce.

ARTICLE 11 ELIMINATION OF DISCRIMINATION IN EMPLOYMENT

Women in the labour market

In June 1993, an estimated 7.7 million people were employed in Australia with 3.3 million being women. 350 100 women were unemployed, with 73 per cent of those seeking full-time rather than part-time work. 572 600 men were unemployed.

In August 1992, women's employment by occupation was highest for clerical (78 per cent) and sales and personal service workers (66 per cent) and lowest for trades (10 per cent). Since August 1986, women have increased their employment share in all occupations except plant and machine operators or drivers.

Industrial relations

Amendments to the *Industrial Relations Act 1988,* which took effect on 23 July 1992, encourage and facilitate the making of certified agreements aimed at boosting productivity and improving workers' living standards. The amendments also contain safeguards to protect workers with little or no bargaining power, many of whom are women. Under the new provisions of the Act, the criteria applied by the Australian Industrial Relations Commission in certifying workplace agreements include:

- no disadvantage to employees in respect of their terms and conditions of employment taken as a whole;
- inclusion of dispute-settling provisions;
- union consultation with members affected by the agreement; and
- a specified period of operation.

The 'no-disadvantage' test is designed to maximise flexibility while protecting community standards such as maternity leave, standard hours of work, parental leave, minimum rates of pay, termination, change and redundancy provisions and superannuation. The Accord partners will monitor developments in workplace bargaining for their impact on pay equity.

In addition to the above provisions, legislation extending Sex Discrimination Act coverage to new Federal awards, including certified workplace agreements, came into force on 13 January 1993. Now a person, or a union acting on behalf of a person or group, can complain under the Sex Discrimination Act about provisions of a Federal award made after 13 January 1993. Complaints are considered by the Sex Discrimination Commissioner, and may be referred to the Australian Industrial Relations Commission, which must convene a hearing of the parties. If the Commission considers the award or agreement discriminatory, it will be set aside or changed to remove the discrimination unless the Commission considers such action contrary to the public interest.

Pay equity developments will be monitored by using Department of Industrial Relations databases to scrutinise Federal agreements, and conducting and commissioning research on pay equity issues, particularly on current developments in wage fixation.

As announced at the launch of the New National Agenda for Women in February 1993, Working Women's Centres are being established at a cost of $500 000 in 1993-94 and $1 million in each of the next three years, to advise and assist women on workplace issues, especially on enterprise bargaining and access to training. The Centres will particularly assist women from non-English speaking backgrounds and Aboriginal and Torres Strait Islander women.

In South Australia, under new industrial arrangements the State Industrial Commission has improved capacity to deal with unfair contracts and the ability to regulate or prohibit the performance of work where the employee is required to work nude or partially nude or in transparent clothing.

Superannuation

The minimum contribution under the Superannuation Guarantee legislation was enforced from 14 August 1993. It is expected that lower-paid women workers will benefit significantly from the introduction of the Superannuation Guarantee.

The *Sex Discrimination Act 1984* was amended, with effect from 25 June 1993, to remove the exemption of superannuation schemes from its provisions. Review of Commonwealth superannuation schemes showed that they did not discriminate on the basis of gender, but that some possibility of discrimination on the grounds of marital status did exist in relation to reversionary benefits where a *de facto* relationship had existed for less than three years prior to the death of a member.

The *Commonwealth Superannuation Schemes Amendment Act 1992* amended the *Superannuation Act 1976* and several other Acts to remove any possibility of marital status discrimination from the Commonwealth Superannuation Scheme and other Commonwealth superannuation schemes. An amending Deed detailing similar changes to the Public Sector Supperannuation Scheme was signed by the Minister for Finance. The amendments to all schemes were effective from 25 June 1993 and will particularly assist women, who tend to be the surviving partners of scheme members.

During 1992-93, the New South Women's Advisory Council undertook an investigation into issues of access and equity for women in superannuation. The report found that women do not share equal access to men in terms of benefits, due to the gender segregation of the labour market, both occupational and industrial, pay equity, and women's family responsibilities in caring for family members and children. Other discriminatory dimensions of superannuation were found to be related to government regulations of vesting schedules, preservation requirements and portability of funds. Whilst some improvements for women are noted in the report, such as increased coverage for women working in part-time and casual positions, most women will not be able to retire comfortably with their accumulated benefit. The New South Wales Women's Advisory Council has called for the NSW Anti-Discrimination Board to bring their exemptions in line with those of the *Sex Discrimination Act 1984* so that a consensual approach can be affected. The state government response to the investigation has so far been positive, although any resulting changes to legislation cannot as yet be determined.

Discrimination in employment due to marriage or maternity

An increase in complaints to the New South Wales Anti-Discrimination Board from women alleging that they had been discriminated against at work on the grounds of pregnancy, or women of child bearing age, prompted the Board to undertake an inquiry into pregnancy discrimination. the inquiry was sponsored by the New South Wales Women's Coordination Unit (now the Ministry for the Status and Advancement of Women) and the Department of Industrial Relations, Employment, Training and Further Education. The final report will be released in late November 1993.

Maternity and parental leave

Maternity leave with pay is provided for most women employed by the Commonwealth Government. Fully paid leave of 12 weeks in the Northern Territory and Australian Capital Territory public services, and nine weeks in the NSW public service is available, subject to qualifying periods of 12 months or 40 weeks respectively of continuous employment. Paid maternity leave of 12 weeks has also been available for public servants in Victoria; however the new Government has introduced legislation to remove this entitlement for new employees.

Unpaid maternity leave has become widely available to Australian women employees since 1979, and has now been inserted in all major Federal awards and a substantial majority of State awards. Social Security benefits subject to income tests are available to women who are sole parents. Most maternity leave in the private sector is unpaid.

To date the Commonwealth Government has not been in a position to remove the existing reservation given full implementation would require the introduction of maternity leave with pay or with comparable social benefits throughout the country however, the government has committed itself to considering implementation of International Labour Organisation Convention 103 on Maternity Protection, which calls for at least 12 weeks of paid maternity leave to be made available to women in paid employment.

Paid Maternity Leave: A Discussion Paper on Paid Maternity Leave in Australia was published by the National Women's Consultative Council in February 1993, based on research by the Office of the Status of Women. The discussion paper reviews and compares current maternity leave provisions in Australia with OECD counterparts, considers the possible benefits of introducing paid maternity leave in Australia, and presents a number of possible options incorporating different funding

mechanisms for discussion, but does not make any specific recommendations. A seminar on paid maternity leave was convened on 28 October 1993 by the National Women's Consultative Council and the Office of the Status of Women to further stimulate policy debate on the issues.

As part of its response to *Half Way to Equal*, the government has committed itself to undertaking a number of steps towards introducing universal unpaid parental leave. These include:

- developing and implementing legislation for unpaid parental leave to ensure that all Australian employees have access to unpaid parental leave during the child's first twelve months. Some States and Territories already have such legislation. South Australia's Industrial Relations Act, for example, was amended in December 1992 as part of the reform process of the industrial relations system. Provisions now exists under South Australian Industrial Awards for family leave, including maternity, paternity or adoption up to 52 weeks unpaid leave that can be shared with a legal or defacto spouse. In December 1992, paternity provisions were inserted into Tasmanian private sector awards. In April 1993 the Queensland Government amended public sector employment regulations to provide parental leave for all government employees through the introduction of parental leave provisions;

- amending the Industrial Relations Act to require the Australian Industrial Relations Commission to take account of the principles embodies in ILO Convention 156, Workers with Family Responsibilities;

- undertaking further consultations and investigations to determine whether family responsibilities should be a prohibited ground of discrimination – this is over and above the 1992 amendment to the *Sex Discrimination Act 1984* to prohibit dismissal on the grounds of family responsibilities;

- producing an information and discussion paper and resource material relating to the incidence and successful management of part-time employment; and,

- supporting the development of international labour standards on part-time employment in the form of a Convention supported by a Recommendation.

Age Pension

From 1 July 1995, women's qualifying age for Age Pension will gradually be lifted from 60 years to 65 years over a 20 year period. As women's labour force participation has increased, particularly in the 45-54 age group, access to superannuation and capacity to save has improved substantially. However, because of the labour market disadvantage of older women with little recent work experience or training, the change will be phased in over a 20 year period.

No existing age pensioners will be affected by this measure. Alternative forms of income support, including Mature Age Allowance, Job Search, and Newstart Allowances, will be available, and their age limits will be adjusted accordingly.

THE ARMED SERVICES

The Sex Discrimination Act 1984 currently allows women in the Australian Defence Force(ADF) to be excluded from serving in positions which involve combat or combat related duties. However this exclusion from combat related duties has not been applied since May 1990, the date from which the employment of servicewomen in combat-related positions has been progressively introduced. In December 1992, the Government announced a new employment policy for women in the ADF. Women are now able to serve in all positions except direct combat positions. It is likely that the Government will remove the exclusion from combat-related duties, and restrict the exemption for combat duties to a limited range of duties essentially involving hand - to -hand combat. These changes will open up almost 90 per cent of all positions in the ADF to women.

Army

The Combat-Related Employment of Women Evaluation Team was established in mid-1990 to monitor and evaluate the impact of servicewomen on operational effectiveness. Despite some residual difficulties due to demanding physical tasks (which, even with intensive training, women cannot completely overcome) the integration of women into combat-related employment is progressing well.

To date, 654 servicewomen, approximately 22 per cent of Regular Army servicewomen, have been posted to combat-related positions, meeting the target of 600 by June 1993. In addition, 21 servicewomen are now serving in the previously all-male Corps of Royal Australian Engineers. As a result of the new employment policy for servicewomen, only 19 out of 146 Other Rank employment categories are now closed to women. There are now 19 500 positions open to Other Rank servicewomen out of 23 500 (83 per cent). Women are still excluded from Armour, Artillery, Combat Engineers and Infantry units. Of the 4600 officer positions in the Army, 4000 (87 per cent) are open to women. In total, almost 84 per cent of Army positions are now open to women. Approximately 5000 women are employed in the Army Reserve, with more than 3000 serving in combat-related positions.

Airforce

Women are now eligible for employment in the Royal Australian Air Force (RAAF) as aircrew, in all aircraft types. The only positions that remain unavailable to women are in the Ground Defence Units.

Navy

In December 1990, a Women at Sea Implementation Plan was produced. It was modified in August 1992 to reflect lower than anticipated wastage levels, reductions to some staff categories, and the opening up of part of the destroyer force to female employment. When the second Collins Class submarine, *HMAS Farncombe*, comes into service in 1996, submarine service billets will be open to women, with only Clearance Diver service remaining unavailable to them.

To date, the plan has resulted in a substantial increase in the level of female involvement and employment at sea. At April 1993, there were 34 seagoing female officers, an increase of 17 over the number serving at the same time last year, and exceeding the target of 31 by the end of 1993. Seaman Officer specialists undertaking Bridge Watchkeeping Certificate training and consolidation

are the largest group of the female seagoing population. The modified plan predicts that the current rapid increase in female seagoing numbers will temporarily slow over the next few years, as a result of downsizing and lower personnel separation rates. A continuing increase is nonetheless expected.

At the end of April 1993, 122 female sailors were serving at sea. This is an increase of 27 from the same time last year and is consistent with achieving the target of approximately 150 by the end of 1993. The Women at Sea Implementation Plan is a continual program. Projected target figures for 1994 and beyond are being developed.

EMPLOYMENT RELATED EDUCATION AND TRAINING PROGRAMS

Labour Market Assistance Programs

In 1992-93 approximately 12 000 were assisted through Labour Market Adjusted Packages (LAPs); 56 per cent of participants were women. LAPs are designed to develop and adapt the skills of people employed in designated industries, enterprises or regions undergoing structural change.

During 1992-93, a $230 000 longitudinal study began of retrenchees of the Textile, Clothing and Footwear (TCF) industries, the majority of whom were women. The study will assess how effective the TCF LAP was in assisting retrenchees to re-enter the workforce or take on further training. Eight hundred people, in three States, in each sector and skill level of the TCF industry, will be interviewed over two years. Preliminary results of the study will be available in early 1994, with the final report due in 1995.

Other retraining opportunities

In Tasmania a 'Women at Work' program is in operation which offers a range of short units designed to upgrade women's skills and enhance their prospects of promotion. Development of a kit by Women's Training Consultants in TAFE Colleges is used to attract employers to a range of fee-for-service programs designed to upgrade the skills of women employees in order to increase workforce productivity and enhance women's promotional prospects.

An expanded labour market program has been introduced which provides twenty women with vocational development opportunities and current work experience in the Australian Capital Territory Government Service workforce. A particular focus is on targetting those women who are potentially doubly disadvantaged for example, women from non-English speaking backgrounds or Aboriginal and Torres Strait Islander women who have disabilities.

Recognition of qualifications gained in countries other than Australia

An Overseas Qualification Unit was established in 1992 within the Tasmanian Department of Employment, Industrial Relations and Training aimed at easing some of the difficulties associated with migrant women's employment. It provides migrant women with local information, counselling and advocacy on the recognition of knowledge and skills gained overseas.

WORK AND FAMILY

In November 1992, Australia submitted its first report to the International Labour Organisation on the implementation of Convention 156 on Workers with Family Responsibilities. Details of country reports are in the widely available ILO publication, *Workers with Family Responsibilities, ILO, 80th Session, 1993*. Australia's next report is due in October 1993.

The *Strategy for Implementing ILO 156 across Commonwealth Policies and Programs* was launched on 11 February 1993, drawing together initiatives to assist workers balance work and family roles through legislation, workplace and industrial relations, attitudinal change, labour force access and participation, community services and planning, and vocational education and training. Initiatives in the Strategy include extending the *Sex Discrimination Act 1984* to dismissal because of family responsibilities unlawful, a commitment to unpaid parental leave legislation and continued expansion and improvement of child care services.

The Work and Family Unit of the Commonwealth Department of Industrial Relations provides research, promotion, information and advice on Australia's implementation of ILO 156 to industrial parties and the wider community. In 1992-93, it set up a grants and research program, ran a major research and publication program, co-sponsored the Corporate Work and Family Awards and formed a private sector work and family network. Promotion and research will expand in 1993-94 and 1994-95 with activities planned in association with the International Year of the Family.

The Work and Family Grants Program will begin in 1993-94. Its key priority areas include workplace bargaining, terms and conditions of employment and funding for best practice demonstration projects introducing family-friendly work policies and practices. Successful applicants will be announced in September 1993. $200 000 has been allocated to the program in 1993-94.

In Tasmania The Office of Public Management is undertaking the task of developing strategies to assist Public Sector workers to accommodate family responsibilities. They are currently considering options in relation to greater flexibility in working arrangements.

Employee relations laws in Victoria enable employees with family responsibilities to individually negotiate flexible arrangements to accommodate their family responsibilities. Options may include temporarily working part time or taking some sick leave entitlements to care for a relative without the usual medical certificate requirement.

Jobs, Education and Training (JET) Program

JET is a voluntary program which was introduced in 1989 in recognition of the fact that sole parents face major barriers to working primarily because of their responsibility for caring for children without the assistance of a partner. The JET Program is jointly administered by the Departments of Social Security; Employment, Education and Training; and Health, Housing, Local Government and Community Services.

JET clients are provided with advice on education, training and employment options, as well as assistance with child care as required. The program's primary objective is to improve the financial circumstances of sole parent pensioners by aiding their entry or re-entry into employment.

Initially, eligibility for the JET program was restricted to sole parent pensioners, however further analysis highlighted three othere groups who were facing difficulties similar to those encountered by sole parent pensioners. As part of the 1992-93 Budget, JET eligibility was extended (from March 1993) to widow B pensioners and sole parents in receipt of special benefit who do not satisfy residency requirements for sole parent pension. In addition, carer pensioners became eligible for involvement in the JET program in June 1993.

Further, as the program has matured and been evaluated, three sub-groups of sole parent pensioners have been identified as haveing additional barriers in seeking employment. Pilot projects commenced in March 1993 for two of these groups, Aboriginal and Torres Strait Islanders and Long Term Welfare Recipients. A third pilot project will commence in July 1994 for non-English speaking background clients. Each pilot will run for twelve months and aim to develop best work practices to increase program participation rates for these three sub-groups.

CHILD CARE

Child care is essential for achieving increased employment opportunities for women who are traditionally the primary family care-givers. Some of the government achievements in establishing new child care initiatives include:

- The supply of Commonwealth-funded child care places increased by ten per cent during 1992-93 with 21 000 additional places becoming available during the year up to June 1993. More than half these places were in private, long-day care, employer-sponsored or previously unfunded non-profit centres.

- Queensland, South Australia, Western Australia, Tasmania, the Northern Territory and the Australian Capital Territory agreed to cost-sharing agreements with the Commonwealth for the 50 000 place expansion of the National Child Care Strategy by 1995-96. Family day care and outside school-hours care places are already operating, and planning is in place for centre-based long-day care in these States and Territories.

- 94 Youth Activity Services are now operating to provide outside school-hours care for 11-16 year olds in disadvantaged areas.

- Simplified administrative arrangements for payment of Childcare Assistance (formerly Fee Relief) were developed in consultation with the industry and implementated on 1 April 1993.

- Under the Jobs, Education and Training Program (JET), over 8500 JET Scheme child care places were provided for JET clients' children with an additional $8 million provided through the Social Security portfolio . A 12-month pilot service was also approved for Katherine, NT, to promote JET to remote indigenous communities.

- In July 1993, the Fringe Benefits Tax exemption was extended for employer payments made to reserve places in eligible child care centres to family day care, outside school-hours care and vacation care services.

- From July 1993, long-day care Childcare Assistance became available to replace existing fee relief arrangements in approximately 130 occasional care services funded directly by the Commonwealth.

Further improvements for child care arrangements are planned for 1993-94:

- From 1 July 1994, a cash rebate for child care expenses will be introduced in recognition of the work-related nature of child care expenses. The rebate will assist parents in full- or part-time work, study or training, or who are looking for work, using either formal or informal child care. This will provide to parents a maximum cash rebate of $28.20 a week for one child in care, and $61.20 for two or more children. The rebate will be available from the 257 Medicare offices throughout Australia. An estimated 230 000 families with 350 000 children will benefit from the scheme.

- In line with the election commitment to meet the full demand for work-related child care by 2001, an estimated increase of about 29 000 child care places will be funded in 1993-94. These will include 500 centre-based places in direct partnership arrangements with local governments and community groups in NSW and Victoria, 12,500 fully Commonwealth-funded places in outside school-hours care in NSW and Victoria and 4000 family day care places.

- Following an evaluation of the pilot program for the care of sick children, innovative models will be created. Approximately $1 million will be provided in 1993-94 for capital grants to employers, established child care centres and family day care schemes. Recurrent funding will be available to mainstream child care centres and family day care schemes.

- Supplementary Services Grants for private and employer-sponsored child care centres will be extended to December 1994, pending an evaluation of the entire Supplementary Service Grants Program. The grants assist private and employer-sponsored child care centres to provide appropriate child care to children with additional needs. The grants provide a range of services that enable children with special needs (such as children from a non-English speaking background, children with a disability, and Aboriginal and Torres Strait Islander children) to be provided with appropriate child care.

- A National Childcare Accreditation Council established in July 1993 by the Commonwealth Government will implement a Quality Improvement and Accreditation System for monitoring quality standards of child care centres.

- Goods used by long-day care centres, outside school-hours care, vacation care services and coordination units of family day care schemes will be exempted from Sales Tax.

- From 1 April 1993, Childcare Assistance has been paid on hours of attendance, rather than hours of care booked. Exceptions include provisions for sick days, holidays, or short periods at the beginning and end of the day. The purpose of the new arrangement is to ensure that funds are distributed equitably and used responsibly.

ARTICLE 12 HEALTH CARE

National Women's Health Program

The National Women's Health Program aims to improve women's health and wellbeing and encourages greater health system responsiveness to women's needs. The Program will be extended for a further four-year phase, from 1993-94 to 1996-97, with nearly $30 million allocated for this period.

A further $3.5 million has been allocated over four years for a longitudinal study of women's health to guide future planning and delivery of health services for women.

National Program for the Early Detection of Breast Cancer

The National Program for the Early Detection of Breast Cancer is a Commonwealth-State cost-shared program which aims to reduce breast cancer deaths through early detection. Screening and assessment will be accessible to all eligible women (those over 40 years) at little or no direct cost, with women aged from 50-69 specifically targeted for participation. The program is being implemented over a five year period from July 1991, with Commonwealth funding of $64 million allocated in the first three years. Screening and assessment services have been established in all States and the Australian Capital Territory.

Some of the initiatives in the area of breast cancer detection since June 1992 included:

- The establishment of twelve new services bringing the total of services to twenty two.
- Over 335,000 women have been screened to date, with 95,000 of those screens occuring between July and October 1993.
- A report commissioned to investigate ways of providing breast cancer screening to remote Aboriginal communities has been completed, and the Northern Territory has been offered a Screening and Assessment contract based on the recommendations of the Report.
- To date 50% of screening and assessment services have been accredited. All services established under the program will be accredited in accordance with the provisions of the National Accreditation Guidelines.
- An episode on breast cancer screening was produced and screened by the Special Broadcasting Service, as part of the 'English at Work' series was shown in May and October 1993.
- The States have been approached to put forward ideas for additional Program initiatives for Aboriginal and Torres Strait Islander women.

Organised Approach to the Prevention of Cancer of the Cervix

All States and Territories signed formal agreements with the Commonwealth in June 1992 on the Organised approach to the Prevention of Cancer of the Cervix. The agreements provide for cytology registries, screening services to meet special needs, education, communication and data collection. A total of $23.4 million has been allocated by the Commonwealth to this program over the four

years 1991-92 to 1994-95. States and Territories will contribute a further $9 million to the program over the same period.

Some of the activities undertaken in 1992-93 included:

- On 25 November, the Pap Smear Reminder Card was launched to remind women to have a Pap Smear every two years. Over three million cards have been distributed.

- A major electronic and print advertising campaign began in February 1993, including an information line and an episode on cervical cancer of the Specail Broadcasting Commission (SBS) program, 'English at Work' aired in May and August 1993.

As an outcome of the 1993 report, *Making the Pap Smear Better*, people involved in smear taking, assessment and reporting will be encouraged to improve the quality of cervical screening services through grants to key medical colleges to improve training and accreditation.

In 1993 the New South Wales Cancer Council produced a report on differences in migrant cancer rates and types from 1972-1993. The report found that cancer of the cervix is significantly more prevalent in Vietnamese migrant women.

Alternative Birthing Program

The Alternative Birthing Service Program provides funding for States and Territories to establish appropriate and safe birthing services with a strong emphasis on midwife care for women who choose not to give birth in a traditional hospital setting. The original program was funded for the four years 1989 to 1993. The program will receive a further $8.5 million for the four-year period 1993-94 to 1996-97.

Indigenous Women

At their meeting on 29 March-1 April 1993, ATSIC Commissioners agreed to the development of a comprehensive Women's Health Policy. A Technical Reference Group, to include Aboriginal and Torres Strait Islander women health experts will be convened to consider the draft policy. The policy will complement the National Aboriginal and Torres Strait Islander Health Strategy and will include agreed women's health goals and targets. As well as identifying Aboriginal and Torres Strait Islander women's health needs and priorities, the policy will cover access and equity, support services, decision-making and education, training and employment. The finalised policy will form the basis for funding Aboriginal and Torres Strait Islander women's health services.

Women of non-English speaking backgrounds

The Commonwealth-State Council on Non-English Speaking Background Women's Issues produced a report in 1991 title The National Non-English Speaking Background Women's Health Strategy. The report outlined existing migrant women's health services, making recommendations to improve their health outcomes to form a comprehensive strategy. The recently formed Migrant Women's Issues Working Group of the Settlement Advisory Committee which reports to the Minister for Immigration and Ethnic Affairs has taken up the report's recommendations and is currently liaising with the Commonwealth Minister for Family Services and Health.

State and Territory initiatives

Tasmania

In Tasmania, Women's Health Co-ordinators have been appointed in each health region to implement the State and National Women's Health Policies and to develop regional women's health initiatives. During 1993-94 regional consultative mechanisms will be developed to support and advise the regional women's health co-ordinators. Each co-ordinator will be responsible for developing regional and local initiatives and will give high priority to access problems experienced by women in low income areas and rural/isolated areas; the needs of women as carers; and the health needs of Aboriginal and Torres Strait Islander women and women from non-English speaking background.

The Tasmanian Women's Health Policy is based on the premise that women's health services must be able to offer a range of programs to address the diversity of needs identified by women. It identifies strategies for improving the mainstream services for women and when appropriate supports the development of special services. The Policy also promotes the involvement of women from the community in decision making, planning and management of health services. Outcomes of this process are aimed at ensuring that health services allow women choice, they are accessible, particularly to rural and isolated women, are affordable, and reflect the various roles women play in society.

Queensland

In August 1993, the Queensland Government launched the Women's Health Policy. The policy identifies the following health issues as priorities: reproductive health and sexuality; health of ageing women; women's emotional and mental health; violence against women; occupational health and safety; health needs of women as carers; and, effects on women's health of sex role stereotyping. The Key Action areas of the policy are improvements in health services for women; provision of a health information service for women; research and data collection on women's health; women's participation in decision making on health, and, training of health care providers.

New South Wales

A twelve month pilot program undertaken by the New South Wales Women's Advisory Council to identify barriers facing Aboriginal women in rural and remote communities from undertaking regular pap smears was completed in March 1993. Many issues were identified in the program, such as lack of knowledge or reluctance to use mainstream health services. Other reasons result from the overall poor health outcomes of Aboriginal women, such as obesity, alcohol abuse, poor diet and inappropriate family planning, resulting in high incidence of youth maternity. The program was therefore extended to include information about sexually transmitted diseases, family planning, the importance of good nutrition and exercise programs. The state government response has been positive to the program. A submission has been made for further funding.

Australian Capital Territory

The Australian Capital Territory offers special health services for women which address a range of issues including: comprehensive maternity care; health promotion and community education projects focussing on menopause; HIV/AIDS; injury prevention, assertiveness training; groups for

women with eating disorders; and, courses for survivors of violence. The government has allocated funds for additional pregnancy counselling targetted at women with unplanned pregnancies.

The Australian Capital Territory Alcohol and Drug Service provides a range of programs aimed at women, including individual counselling, and treatment services. A Women's Halfway House is to be opened in 1993--94 and will cater for a range of women, including women who have completed a treatment program, women who receive methadone treatment, women who have a history of drug problems and women who are in need of structured support.

The Australian Capital Territory Termination of Pregnancy Act 1978 was repealed in 1992 to allow abortions to be provided by agencies outside of the main hospital in Canberra. The Family Planning Association will be expanding its services and will provide termination of pregnancy service for women in the Territory late in 1993.

The Territory Attorney-General's Department is finalising a paper on surrogacy to be tabled in the Legislative Assembly late in 1993 and then circulated for comment for a period of three months. At the end of that time, legislation will be introduced into the Assembly.

The Territory Government has undertaken a review of maternity services it provides and will be seeking responses from women to the report to seek responses of women to the priorities identified. A strategic plan for maternity services in the territory will be developed based on the comments received.

The health workforce

Fourty-two per cent of medical undergraduates in 1991 were women and the number of women undertaking medical studies continues to increase. Despite this, women remain significantly under-represented in the specialties, and there is considerable anecdotal evidence that women doctors, particularly those with family responsibilities, are not adequately accommodated in current training arrangements and work practices.

An issues paper on feminisation of the medical workforce is currently being developed, in consultation with medical practitioners. The finalised paper will be widely distributed for comment, with options for such issues as representation of women in the specialties to be covered in a further paper.

ARTICLE 13 WOMEN IN ECONOMIC, SOCIAL AND CULTURAL LIFE

Payments to Partners

Partner Allowance

From 20 September 1994, the Government will pay half the allowance/benefit previously paid to a married rate Job Search, Newstart or Sickness Allowance recipient or special beneficiary directly to the allowee/beneficiary's partner. Partner Allowance (or in some cases, special benefit paid under Partner Allowance conditions) will be available to either male or female partners of allowees/beneficiaries. Partners of allowees/beneficiaries will need to claim Partner Allowance (or special benefit) in their own right, but eligibility will not involve any labour market obligations. The change will mean that women who will be the majority of recipients of Partner Allowance will be able to receive income support in their own right without needing a reason to claim split payments and without having to meet the activity tests required for separate payments.

Home Child Care Allowance

From 29 September 1994, the Home Child Care Allowance will replace the Dependent Spouse Rebate for couples with children. Home Child Care Allowance of up to $60 a fortnight will be paid directly to a low income partner in a married couple. An income test will be applied to the current personal income of the claimant but not to family income. The income test on current income will allow access to the payment within a financial year as circumstances change, so that women who work part of the year will be entitled to the allowance when they become full-time carers for their children.

Over 800,000 women with children are expected to receive the Home Child Care Allowance at any time. Around 120,000 families at any one time would be eligible for the new allowance on a part year basis because of changing circumstances. Also 55,000 families with very low taxable incomes who were previously unable to gain the full value of the Dependent Spouse Rebate, will gain an average of $20 a week from the Home Child Care Allowance. Allowees and beneficiaries with a spouse and children currently pay no tax on their allowance because they are protected by the Dependent Spouse Rebate. The introduction of Partner Allowance and splitting of the beneficiary rebate will ensure that the allowance is still protected from tax after the abolition of the Dependent Spouse Rebate for families with children. The Dependent Spouse Rebate will remain available through the tax system for eligible taxpayers without children.

Women as Carers

The 1993 Commonwealth-State Ministers Conference on the Status of Women considered a research project on women as carers which examined the economic and social impacts upon women who are caring for a relative or spouse. A section on employment, education and training examined the issues arising for women who are maintaining employment while also being responsible for the care of a disabled or aged relative. Proposals will be referred to relevant State and Commonwealth Ministers for consideration and the issue of women as carers will be listed as an agenda item at the 1994 Conference.

New South Wales

In March 1993, the New South Wales Women's Advisory Council published a report of research undertaken into the health status of women who are full-time carers for family members or significant others. The report found that women involved in full-time caring had reduced access to income and to social activities. Their quality of life and overall health status was affected, with these women experiencing overall negative health outcomes. There was an overall finding that the move away from institutionalisation and the development of community based services for the frail aged and the disabled, reduced choice for families about the care for their family member. A state government response to the report is currently being developed.

Housing

The Supported Accommodation Assistance Program (SAAP) provides recurrent funds to community groups and local government providers of supported accommodation and related services for homeless people. The Crisis Accommodation Program provides capital funding for these services including refuges, halfway houses, hostels and other support services meeting the needs of women, including those escaping violence.

SAAP was evaluated in 1992-93 with extensive community consultations; a longitudinal study of client outcomes; and research studies on domestic violence, assessment of the needs of children, and the impact of other government programs, and a study of the causal factors of homelessness. Key issues identified included the lack of affordable long-term accommodation, the significant number of people with mental health problems who use SAAP services, and the need for better support for children in SAAP services.

Additional growth funding of $7 million over 1992-93 and 1993-94 was allocated by the Commonwealth and, if matched by States and Territories, will provide $14 million for new and expanded accommodation and support services for SAAP clients.

Housing projects undertaken in 1992-93 included the Northern Territory Women's Housing Needs Research Project, the Northern Territory Support Needs of Homeless Young Women Project and research by the Tasmanian Women's Housing Network into the accommodation needs of very young women (under 18).

Women and Credit

In the Australian Capital Territory, consumer organisations have found that women have the same access as men to loans, mortgages and other forms of financial credit. Legislation has been developed enabling the establishment of a trust fund for financial counselling and credit education. This will be used, amongst other initiatives, to provide counselling and education to specifically address 'sexually transmitted' debt. In the 1993-94 financial year the Consumer Affairs Bureau will develop guidelines for the allocation of funding from the Financial Counselling/Credit Education Trust Fund.

Women and Economic Equality

In 1993-94 the Queensland Government will be producing a Strategy on Women and Economic Equality.

Sport

The Women and Sport Unit (WSU) of the Australian Sports Commission aims to raise the participation and status of women and girls in all aspects of sport in Australia. During 1992-93, the WSU produced a National Catalogue on Women and Sport Resources and received over 8000 requests for information and resources in response to it.

Under the Active Girls Campaign banner, the WSU, in conjunction with State Departments of Sport, conducted 21 Active Girls Triathlons in every State and Territory of Australia with the focus on fun and participation. Over 1700 girls participated in the events. 1993-94 will see the continuation and expansion of the Active Girls Triathlon series with up to 30 event across all States and Territories.

A resource kit for teachers has been produced in association with the National Heart Foundation to identify barriers to participation of women and girls in physical activity and sport, and to provide strategies to overcome them.

The WSU conducted the second annual Prime Ministerial Women and Sport Awards function in Sydney on 18 February 1993. The Awards recognise exemplary achievements in all aspects of women's and girls' sport. The awards scheme also provides two scholarships to assist young women pursuing tertiary studies in a sports-related field. Over 250 nominations for the awards and 64 scholarship applications were received in 1992-93.

The WSU conducted two seminars and produced a training manual for the focus on Marketing and Management Campaign. This campaign provides training and experience to sportswomen and administrators of women's sport in media, marketing and management. Four 'Focus on Marketing and Management' seminars will be conducted for female sport administrators in 1993-94.

The Australian Sports Commission (ASC) has incorporated gender equity requirements into the guidelines on the preparation of Cooperative Arrangements with National Sporting Organisations. Those that do not meet this requirement by 1995 will jeopardise their government funding.

Northern Territory

The Northern Territory Office of Sport, Recreation and Ethnic Affairs has appointed a Project Office for Women in Sport in 1993. A Policy on Women in Sport will be developed in 1993-94.

Tasmania

In 1991-92, $67,000 was allocated to the Women in Sport program, by the Tasmanian Department of Tourism, Sport and Recreation. Funding covered the employment of a sports consultant and some regional staff, and the development of programs which addressed issues such as inequality of opportunity, low levels of media coverage and poor government and corporate funding.

The Tasmanian Sports Development Grant Program administered by Tourism, Sport and Recreation totalled $503,000, of which 45% was relevant to women and girls. Key policy issues addressed by this program include the promotion of equal access and establishing equitable policies for state sporting organisations.

Western Australia

In November 1992, the Western Australian Women's Sport Foundation took over the advisory role of the Women in Sport Advisory Council which was disbanded.

Media

With funding from the National Working Party on the Portrayal of Women in the Media, the Australian Film Commission's Women's Program commissioned a survey of women's participation in the film, television and video industry. This major research project was completed and released in December 1992. The report, *What do I Wear for a Hurricane?* assesses the current position of women in the industry and recommends changes to improve training, employment and career opportunities.

Museums

The National Women's Consultative Council, with funding assistance from the Aboriginal and Torres Strait Islander Commission, sponsored a National Conference on Australian Indigenous Women and Museums in Adelaide in March 1993, which recommended ways for Government to ensure sensitive portrayal and presentation of Aboriginal and Torres Strait Islander women's art and culture.

A two-day conference on 'Images of Women: Women and Museums in Australia' was held in Canberra on 13-14 October 1993. It included discussions and workshops on ensuring that women's lives, histories and contributions to Australian culture are properly represented in museum collections and exhibitions.

Performing and Visual Arts

During 1992, the Australia Council and the Western Australian Department for the Arts conducted a pilot study of women in the performing and visual arts and crafts in Western Australia. The report of the study, entitled *What Difference Does it Make?: Women in the Performing and Visual Arts in Western Australia*, covering the performance, exhibition, collection and purchase of women's art, was launched in June 1993.

Environment

The Commonwealth Department of the Environment, Sport and Territories (DEST) is coordinating the Government's implementation of Agenda 21, and works closely with the Office of the Status of Women. DEST encourages its programs and policies to address participation by women through the principles and policies endorsed in the National Ecologically Sustainable Development Strategy.

In 1992-93, the Tasmanian Government funded a 'Women in the Built Environment' statewide consultation, undertaken by the Tasmanian Women's Consultative Council. The Consultation

- identified the impact of the Built Environment upon the lifestyle and quality of life of women, the issues which influence women's use of the Built Environment, the issues which influence women's access to the process of decision making with regard to development in the Built Environment, and the ways in which the Built Environment may be better designed to meet the needs of women, including women with special needs.

ARTICLE 14 RURAL WOMEN

Rural Access Program

The Rural Access Program (RAP) began in July 1991, and allows people in rural and remote regions to plan, organise and deliver activities and projects to meet community needs. The program recognises the particular disadvantage of women in rural Australia. Around one-third of the $1.51 million available in 1992-93 was provided for projects assisting women.

A total of 154 RAP grants were made in 1992-93, which included 59 women's projects. This included:

- ten Aboriginal women to attend a Bi-cultural Life Studies pilot course at Casuarina, Northern Territory, which covered cultural heritage, health and social issues;

- therapy, counselling and support groups in Casino, New South Wales, for women and their children affected by domestic violence; and,

- a Women in Agriculture International Conference, to be held in Victoria in 1994, to provide an opportunity for women to meet and develop international agricultural networks.

Rural Health Support, Education and Training Program

The Rural Health Support, Education and Training Program assists projects which enhance opportunities for training, education or support for rural health workers. Eight current programs focus on women. These include education in maternity nursing, birth education, courses in women's health, and assistance for indigenous health workers to improve the health of women and babies. Further funds were allocated to 39 nursing projects including supporting development of higher degree nurse education, continuing education activities and special skills training.

Women from non-English speaking backgrounds

Migrant Resource Centres have been established in remote areas like Alice Springs with a special emphasis on the needs of non-English speaking background women, who have extra difficulties in gaining access to essential services in isolated areas.

Violence against women

Five pilot projects will be funded at a total cost of $2.62 million to assist women and children living in rural and remote areas to escape domestic violence. The projects will provide support and advice on housing, financial and legal aspects, and will provide 24 hour contact services, usually through a free 008 telephone help line. The pilot projects will be funded for two years and will then be evaluated to decide whether they should be expanded to other regions.

Telecentres

Telecentres provide up-to-date computing and telecommunications services for rural and remote areas as a way of enhancing economic, educational, training and social opportunities. Funding of $2.8 million over four years from 1992-93 has been provided to assist community organisations to establish telecentres. By 30 June 1993, the Minister for Primary Industries and Energy had announced funding for 13 telecentres, with three being fully operational.
Modern computing and telecommunications technology and services are rarely accessible to women in rural areas. Women are strongly involved in telecentres and are members of most community telecentre committees. Twenty-five per cent of successful telecentre applications are coordinated by women.

Additional funding of $300 000 was provided in the 1993-94 Budget to increase the coverage of the program by increasing the number of Telecentre approvals from 33 to 45.

State and Territory Initiatives

Tasmania

The Tasmanian Department of Community and Health Services, through it's Domestic Violence Advisory committee, is currently liaising with community and governmental organisations regarding the development of models for domestic violence services in rural and isolated areas. A report has been submitted from the Tasmanian Women's Consultative Council.

A Domestic Violence Education for Rural Health Workers project has been undertaken in Northern Tasmania. It involved four half-day sessions in 8 rural areas and covered the nature of domestic violence, attitudes and values surrounding domestic violence and issues specific to people living in rural areas in relation to domestic violence.

The Rural Women's Network produced the Tasmanian Rural Women's Resource Manual. The manual included the knowledge, concerns and experiences of women from rural areas, as well as information about services available to rural women. The manual was very popular, with a second edition being printed (8,000 copies in total), most of which have now been distributed.

Women's Training Consultants are available in all regions of Tasmania, to provide advice to women on training options available through TAFE Colleges. With a special emphasis being placed on information counselling and support services which aim to broaden the range of options being considered beyond the traditional areas.

The Department of Health and Community Services, in 1992-93, funded a number of programs aimed at women in rural and isolated areas. In 1993, the Tasmanian Women's

Consultative Council received funding through the Commonwealth Department of Immigration and Ethnic Affairs, Migrant Access Program, to develop a health education initiative for Migrant Women living on the West Coast of Tasmania. The grant will be utilised to develop a health pamphlet for Phillipino and Thai women, outlining services available to them and appropriate health actions.

In 1992, the Tasmanian Women's Consultative Council (North-West Region) undertook a survey of 'Women in Mining Towns'. The study focussed on the impact that the threat of redundancies through mine closures and the winding down of operations in mining towns, has upon women in these communities. The report of this survey was released for public comment. As a direct consequence of the report, representatives of the Women's Consultative Council (North-West Region), met with the Chamber of Mines to discuss strategies mining companies could consider to facilitate the more effective dissemination of information from mining companies to women in the community.

Western Australia

In Western Australia, the Rural Women's Taskforce has been disbanded. It is envisaged that when the new Western Australian Women's Advisory Council is appointed it will have a strong regional focus.

ARTICLE 15 EQUALITY BEFORE THE LAW

Law Reform Commission Inquiry - Equality Before the Law

In February 1993, the Prime Minister announced that the Attorney-General had requested the Law Reform Commission to examine and report to him on the equality of women before the law. In particular, the Commission has been asked to look into whether changes should be made to existing Commonwealth or Territory laws, whether additional laws are required, whether changes should be made to the ways laws are applied in Commonwealth courts and tribunals, possible legislative approaches to law reform, and any non-legislative approaches. The Commission will look at political and public life and the legal profession, education, employment, health care, economic life, law, marriage and family relationships, liberty and security of person, nationality and immigration, social and cultural life and equality among women.

An interim report is expected in December 1993 and a final report in 1994. Costs of public hearings and community consultations are being met by the Commission with a contribution of $30 000 from the Office of the Status of Women.

Gender Awareness Raising Programs

Under the Commonwealth Community Education program: *STOP VIOLENCE AGAINST WOMEN* a number of programs have also been funded which aim to identify and address gender bias in the operation of the law and the legal system, including:

- A gender awareness program for members of the judiciary and magistracy being developed by the Australian Institute of Judicial Administration to run over three years;

- A pilot program on gender bias for Family Court judges and judicial registrars;

- The Australian Law Reform Commission's 'Equality Before the Law' reference. The issue of violence against women will be a recurrent and major theme throughout this reference and the Commonwealth's community education program is providing assistance to the Commission to facilitate wide community involvement in the consultation process;

- A conference, held in Melbourne in June 1993, organised by the Australian Women's Research Centre examined judicial attitudes as they impact on women. The conference was addressed by a number of key speakers including Canadian Professor, Kathleen Mahoney, Justice Elizabeth Evatt, and The Hon. Duncan Kerr, Commonwealth Minister for Justice. The Conference also developed a number of strategies for future action which will be available shortly ;

- Professor Kathleen Mahoney also visited Canberra to address a Press Club luncheon and meet with others working on matters pertaining to the elimination of violence against women.

State and Territory initiatives

Queensland

In Queensland a review of the Criminal Code was completed during 1993 with many public submissions received detailing concerns with rape law reform, child sex abuse and so on. The process is continuing and is expected to be completed some time in 1994.

New South Wales

The New South Wales Ministry for the Status and Advancement of Women is conducting research into gender bias in the legal system. The project has been divided into three research categories: women as victims; women as litigants;; and, women working in the legal system. Research into women as litigants will focus on women in the civil jurisdiction, both as applicants and witnesses. Areas such as family law, de-facto legislation, corporate law, employment law, victim compensation and common law personal injury will be considered.

Over the past two years, the New South Wales Ministry for the Status and Advancement of Women has been engaged in an Aboriginal Women and the Law project. This project involved consultations with Aboriginal women in communities throughout New South Wales to assess Aboriginal women's knowledge of and access to legal services. Aboriginal women were also asked for their ideas for strategies which could be employed to assist them in gaining access to legal services, particularly those relating to protection from physical and sexual violence. A number of recommendations and strategies have been proposed in a consultation report which is currently being circulated for comment.

ARTICLE 16 MARRIAGE AND FAMILY RELATIONS

International Year of the Family activities

All State, Territory and local governments, and all Commonwealth government departments are undertaking initiatives for the International Year of the Family. $4 million has been allocated for central coordination activities, including appointment of the National Council for the International Year of the Family and a national communications program.

Nine priorities have been agreed as the focus for consultations and policy development, culminating in the release of an Australian Agenda for Families at the end of 1994. These priorities include the recognition of unpaid caring work, better sharing of caring work between men and women and balancing work and family responsibilities, and strategies to reduce family violence.

Family Resource Centres

Eleven Family Resource Centres are now operating in disadvantaged areas to support local family service agencies in Ipswich, Logan and Cairns (Queensland), Fairfield, Penrith and Wyong (NSW), Whittlesea, Latrobe Valley and South East Melbourne (Victoria), Elizabeth (SA), and Alice Springs (NT). Following a planning conference in May 1993, a national Family Resource Centre network has been developed.

Assistance to Families

$1.5 million over the next three years will provide 3000 new playgroups to assist an estimated 50 000 families.

Child Support Scheme

The Government commissioned the Child Support Evaluation Advisory Group (CSEAG) to monitor the implementation of the Child Support Scheme. The CSEAG was chaired by Justice John Fogarty, a Judge of the Family Court of Australia. The CSEAG's report Child Support in Australia was tabled in Parliament by the Government in 1992. In summarising its conclusion, the CSEAG described the Australian Child Support Scheme as having achieved greater reliability of child support payments, fairer and more adequate amounts being paid and better integration of the maintenance payment and social security systems.

The Government announced a number of measures in response to the CSEAG report in the 1992/93 Budget including:

- Measures to enable faster distribution of child support payments;
- Extending arrangements enabling private collection of child support;
- Disregarding special maintenance for children with disabilities;
- Adjusting the child support formula to recognise substantial periods of access with non-custodial parents; and
- Extension of child support information forums for non-custodial parents.

A Joint Select Committee on Certain Family Law Issues was established by the Parliament in May 1993. The Committee's major task has been determined to be an inquiry into the operation and

effectiveness of the Child Support Scheme. The Joint Select Committee called for submission and conducted a phone in for members of the public to call to discuss aspects of the Child Support Scheme of concern to them. The Joint Select Committee is expected to table a report on the outcomes of the inquiry early in 1994.

State and Territory initiatives

Tasmania

In Tasmania, amendments are currently being drafted to the Fatal Accident Act, Motor Accident Compensation and Liabilities Act, the Workers Compensation Act and the Testator Family Maintenance Act, to recognise the rights of de facto spouses. There is currently no provision for de facto spouses to share in a distribution on an intestacy or in relation to the distribution of property on the breakdown of a marriage. However, the Attorney-General has agreed to a referral of powers from the State to the Commonwealth in regard to the jurisdiction of de facto property disputes

The Tasmanian Adoption Act 1988 establishing peoples' rights to information, was proclaimed in 1992. An Amendment to the Act occurred in 1993. Single women are entitled to adopt children in 'exceptional circumstances'. However, couples must be legally married for a minimum of 3 years to adopt, although stable, continuous co-habitation prior to marriage may be included in those 3 years. In addition, the Tasmanian Community Services legislation is currently being drafted incorporating Child Welfare Act (wardship), Juvenile Justice and Disability Services.

Australian Capital Territory

A discussion paper entitled 'A proposal for Domestic Relationship Legislation in the Australian Capital Territory' has been released along with proposed legislation to provide for property distribution on breakdown of domestic relationships. This would allow those who are living in a relationship with another person to apply for adjustment of property based on direct and indirect financial contributions as well as non-financial contributions to the property or financial benefit of the other person. The relationship must be of a domestic nature, and may include de facto spouses, non-related adults or family members.

The Australian Capital Territory Adoption Act 1993 commenced on 31 July 1993. It provides that de facto couples, living in heterosexual relationships and single persons can adopt in specified circumstances. It provides that where consent to adopt has been given and the child is not placed for adoption the matter be subject to judicial review within one year. It further provides safeguards to ensure that consent to adoption by birth parents is freely given.